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86-298-A
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Raymond Michael Ossie, Sr., et ux,
1340 Riverside Avenue, 15th Election District
Baltimore, Maryland 21221

86-298-A
4-11-86
1174

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER, OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A04-3-B-3 to permit side setbacks of 10 feet and 14 feet in lieu of the required 50 feet. Also, to permit a front setback of 45 feet in lieu of the required 50 feet.

A. FRONT SETBACK OF 45 FEET IN LIEU OF THE REQUIRED 50 FEET.

REQUIRED 50 FEET.

Existing house is approx. 15 yrs. old of very poor construction. House is built on 84 sq. block plots, which are leaning over and causing the floor to sag about 3" in the center. There is also some rotten wood around the windows. Very little insulation, which makes it very hard to heat. Rooms are small and furniture does not fit to wall. House was built strictly as a summer home. We would like to make this our permanent residence.

All other improvement in vicinity are also 50 ft wide. Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: (Type or Print Name)
Signature
Address
City and State

Legal Owner(s): (Type or Print Name)
Signature
Address
City and State

Attorney for Petitioner: (Type or Print Name)
Address
City and State

Attorney's Telephone No.: (Type or Print Name)
Address
City and State

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BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

February 13, 1986

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Mr. and Mrs. Raymond M. Ossie, Sr.
1340 Riverside Avenue
Baltimore, MD 21221

RE: PETITION FOR VARIANCE
W/S of Riverside Ave., 40'
S of the centerline of
Mitchell Road
(1340 Riverside Avenue)
15th Election District
Raymond M. Ossie Sr., et ux,
Petitioners
Case No. 86-298-A

Dear Mr. and Mrs. Ossie:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

JEAN M. H. JUNG
Deputy Zoning Commissioner

JMH:bg

Attachments

cc: Mr. Stoney Fraley
Dept. of State Planning
301 West Preston Street
Baltimore, MD 21201

People's Counsel

IN RE: PETITION FOR VARIANCE
W/S of Riverside Ave., 40'
S of the centerline of
Mitchell Road
(1340 Riverside Avenue) -
15th Election District
Raymond M. Ossie Sr., et ux,
Petitioners
Case No. 86-298-A

The Petitioners herein request variances for side yard setbacks of 10 feet and 14 feet in lieu of the required 50 feet and a front yard setback of 45 feet in lieu of the required 50 feet.

Testimony by the Petitioners indicated that for 13 years they have owned a poorly constructed, 45-year-old, waterfront summer home. Due to the sagging floors, rot, lack of insulation, etc., it is impractical to renovate and remodel the summer home into a permanent home as desired by the Petitioners. The proposed 26' x 43' dwelling will be 4 feet wider than the existing one. The Petitioners originally proposed placing the dwelling with a 45 foot front setback because of their belief that the dwelling could be located no closer than 28 feet to the septic tank as shown on the plan submitted and marked Petitioner's Exhibit 1. However, the Baltimore County Health Department indicated that the distance could be as little as 20 feet which led to the Petitioners' agreement to place the house 50 feet from the waterfront property line, thus eliminating the request for a front yard variance. Without side yard setbacks no dwelling could be built on the property. There were no Protestants.

Pursuant to the advertisement, posting of property, and public hearing on the petition; it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners; Baltimore County having reviewed the application involving property located in the Maryland Chesapeake Bay Critical Areas and having determined that it is consistent with the requirements of the State of

ORDER RECEIVED FOR FILING
DATE February 13, 1986
BY [Signature]

Maryland to minimize adverse impacts on water quality and fish, wildlife, and plant habitat; and the granting of some of the requested variances not adversely affecting the health, safety, and general welfare of the community, part of the variances should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 13th day of February, 1986, that the herein Petition for Variance to permit side yard setbacks of 10 feet and 14 feet in lieu of the required 50 feet for a 26' x 43' dwelling, in accordance with Petitioner's Exhibit 1, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- Compliance with the following mitigative practices designed to minimize adverse impacts on water quality and fish, wildlife, and plant habitat in the Maryland Chesapeake Bay Critical Area:
 - Plant and maintain no less than four (4) large deciduous trees, or eight (8) conifer trees, or sixteen (16) small deciduous trees on the lot, or a combination of these three classes of trees, all in accordance with the following formula:
 - (one) Large deciduous tree for each 600 sq.ft.
 - (two) Conifer trees for each 600 sq.ft.
 - (four) Small deciduous trees for each 600 sq.ft.
 - No rain water runoff shall be discharged directly into Back River. It shall, instead, be directed overland so as to encourage infiltration.

The requested variance for a front yard setback of 45 feet in lieu of the required 50 feet is moot due to the reasons set forth above and, as such, is hereby dismissed.

JEAN M. H. JUNG
Deputy Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING
DATE February 13, 1986
BY [Signature]

ZONING DESCRIPTION

BEGINNING AT A POINT ON THE WEST SIDE OF RIVERSIDE AVENUE (ON WEST), 40' S. OF THE CENTERLINE OF MITCHELL ROAD AND BEING AS LOT NO. 8 AS SHOWN ON THE PLAT OF BACK RIVER WOOD PARK, WHICH IS RECORDED IN THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER 7, FOLIO 1, BEING AS 15th ELECTION AVENUE IN THE 15th ELECTION DISTRICT.

PETITION FOR ZONING VARIANCE 15th Election District

LOCATION: West side of Riverside Avenue, 40 feet South of the centerline of Mitchell Road (1340 Riverside Avenue)

DATE AND TIME: Tuesday, February 11, 1986, at 9:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance from Section 1A04-3-B-3 to permit side setbacks of 10 feet and 14 feet in lieu of the required 50 feet and to permit a front setback of 45 feet in lieu of the required 50 feet.

Being the property of Raymond Michael Ossie, Sr., et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCES
W/S of Riverside Ave., 40'
S of the C/L of Mitchell Rd.
(1340 Riverside Ave.),
15th District
RAYMOND MICHAEL OSSIE, SR.,
et ux, Petitioners
Case No. 86-298-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 21st day of January, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Raymond M. Ossie, Sr., 1340 Riverside Ave., Baltimore, MD 21221, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
January 13, 1986

COUNTY OFFICE BLDG.
111 W. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Industrial Development

Mr. and Mrs. Raymond M. Ossie, Sr.
1340 Riverside Avenue
Baltimore, Maryland 21221

RE: Item No. 174 - Case No. 86-293-A
Petitioners - Raymond M. Ossie, Sr., et ux
Variance Petition

Dear Mr. and Mrs. Ossie:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:nmr
Enclosures

BALTIMORE COUNTY DEPARTMENT OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

JANUARY 14, 1986
(CRITICAL AREA)

RE: Zoning Advisory Meeting of **NOVEMBER 19, 1985**
Item # **174**
Property Owner: **RAYMOND M. OSSIE, SR. ET AL**
Location: **W/S RIVERSIDE AVE, 40' S**
of **Q OF MITCHELL RD.**

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

☒ There are no site planning factors requiring comment.
☒ A County Review Group Meeting is required.
☒ A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Planning Services.
☒ This site is part of a larger tract therefore it is defined as a subdivision. The plan must show the entire tract.
☒ A record plat will be required and must be recorded prior to issuance of a building permit.
☒ The access is not satisfactory.
☒ The circulation on this site is not satisfactory.
☒ The parking arrangement is not satisfactory.
☒ Parking calculations must be shown on the plan.
☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
☒ Construction in or alteration of the floodplain is prohibited.
☒ The proposed use of this site may constitute a potential conflict with the Baltimore County Master Plan.
☒ The amended Development Plan was approved by the Planning Board on 11/19/85.
☒ The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is as follows:
☒ The property is located in a traffic area controlled by a "T" level intersection as defined by Bill 178-79, and its conditions change are re-evaluated annually by the County Council.
☒ The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is as follows:
☒ The property is located in a traffic area controlled by a "T" level intersection as defined by Bill 178-79, and its conditions change are re-evaluated annually by the County Council.

THIS SITE IS LOCATED IN THE CHESAPEAKE RIVER PLAIN. ADDITIONAL COMMENTS WILL BE PROVIDED BY THE COMPREHENSIVE PLANNING DIVISION.

cc: James Hysell
Eugene A. Boper
Chief, Current Planning and Development

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

NOV. 19, 1985
Date

Zoning Item # **174**, Zoning Advisory Committee Meeting of **Nov. 19, 1985**

Property Owner: **Raymond M. Ossie, Sr.**

Location: **1340 RIVERSIDE AVENUE** District **15th**

Water Supply **Public** Sewage Disposal **Private**

COMMENTS ARE AS FOLLOWS:

() Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.

() Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.

() A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

() A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.

() Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.

() Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appliances pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.

() Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County Regulations. For more complete information, contact the Division of Maternal and Child Health.

() If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

Zoning Item # **174** Zoning Advisory Committee Meeting of **Nov. 19, 1985**
Page 2

() Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.

() Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.

() Soil percolation tests (have been/must be) conducted.
() The results are valid until _____
() Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.

() Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.

() In accordance with Section 13-117 of the Baltimore County Code, the water well yield test shall be valid until _____
() Is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.

() Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.

() If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.

(X) Others A field inspection was made at the property on November 27, 1985 during which the seepage pit component of the septic system was found filled to capacity. In March 1985 this Department recommended removal of public sewerage which is now under study to correct unsatisfactory conditions. This department will not approve a building permit for the proposed replacement unless satisfactory soil percolation tests are conducted between Feb. 1st and April 30th. It is the experience of this office that satisfactory soil percolation tests are highly unlikely for this area.

Jan J. Forrest
Jan J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1283 (2) R

BALTIMORE COUNTY FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

November 22, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Raymond M. Ossie, Sr., et ux (critical area)

Location: W/S Riverside Avenue, 40' S of centerline of Mitchell Rd.

Item No.: 174 Zoning Agenda: Meeting of November 19, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY *John F. O'Neill* Noted and Approved: *John F. O'Neill*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI, JR.
DIRECTOR

December 16, 1985

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 174 Zoning Advisory Committee Meeting are as follows:

Property Owner: Raymond M. Ossie, Sr., et ux (CRITICAL AREA)
Location: W/S Riverside Avenue, 40' S of c/l of Mitchell Road
District: 15th.

APPLICABLE ITEMS ARE CHECKED:

☒ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.D.A. #11-1 - 1980) and other applicable Codes and Standards.

☒ A building and other miscellaneous permits shall be required before the start of any construction.

☒ Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is not required on plans and technical data.

☒ Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

☒ All the Groups except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. B-1 Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 107, Section 108, and Table 108C. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

☒ The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.

☒ The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.

☒ When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Group are free Use, to Use, to Use, or to Use. See Section 312 of the Building Code.

☒ The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

☒ Comments: The existing dwelling will require a demolition permit. When it has been demolished the new structure will be required to comply with attached Code Requirements Section 516.0.

☒ These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 120 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Mark E. Edelman
Mr. E. M. Edelman, Chief
Building Plans Force

L/22/85

SPECIAL NOTE FOR CONSTRUCTION IN TIDAL OR RIVERINE AREAS

BILL 1-82 BALTIMORE COUNTY BUILDING CODE 1981

EFFECTIVE MARCH 25, 1982

SECTION 519 A section added to read as follows:

SECTION 519.0 CONSTRUCTION IN AREAS SUBJECT HAZARD TO FLOODING

519.1 AREAS SUBJECT TO INUNDATION BY TIDEWATERS:

1. Whenever building or additions are constructed in areas subject to inundation by tides/waters, the building's lowest floor (including basement) shall be not lower than one (1) foot above the 100 year flood elevation, as established by the U.S. Army Corps of Engineers or the Federal Flood Insurance study, whichever is more restrictive. These buildings or additions shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of the structures with materials resistant to flood damage.

2. Crawl space under buildings constructed in the Tidal Plain, as determined by the U.S. Army Corps of Engineers or the Federal Flood Insurance study, whichever is the more restrictive, shall be constructed so that water will pass through without resulting debris causing damage to the improvements of any property.

3. New or replacement utility systems, including but not limited to water supply, sanitary sewage, electric, gas and oil, must be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require onsite waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

519.2 RIVERINE AREAS SUBJECT TO INUNDATION BY SURFACE WATERS WITHIN THE 100 YEAR FLOOD PLAIN.

1. No structures or additions shall be constructed within the 100 year flood plain of any watercourse. The 100 year flood plain shall be based upon the Federal Flood Insurance study or the Department of Public Works, whichever is the more restrictive; this determination shall include planned future development of the watershed area.

2. Reconstruction of residential dwelling units shall be governed by Sections 106.0 or 123.0 as applicable, except that rebuilding of residential dwelling units damaged in excess of 50 percent of physical value shall also be governed by the provisions of Subsection 519.1 of this section.

3. Reconstruction of other than residential buildings or structures in the riverine areas shall be made to conform to 519.1 when damage exceeds 50 percent of physical value.

Form 02-82

BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. -ZAC- Meeting of November 16, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

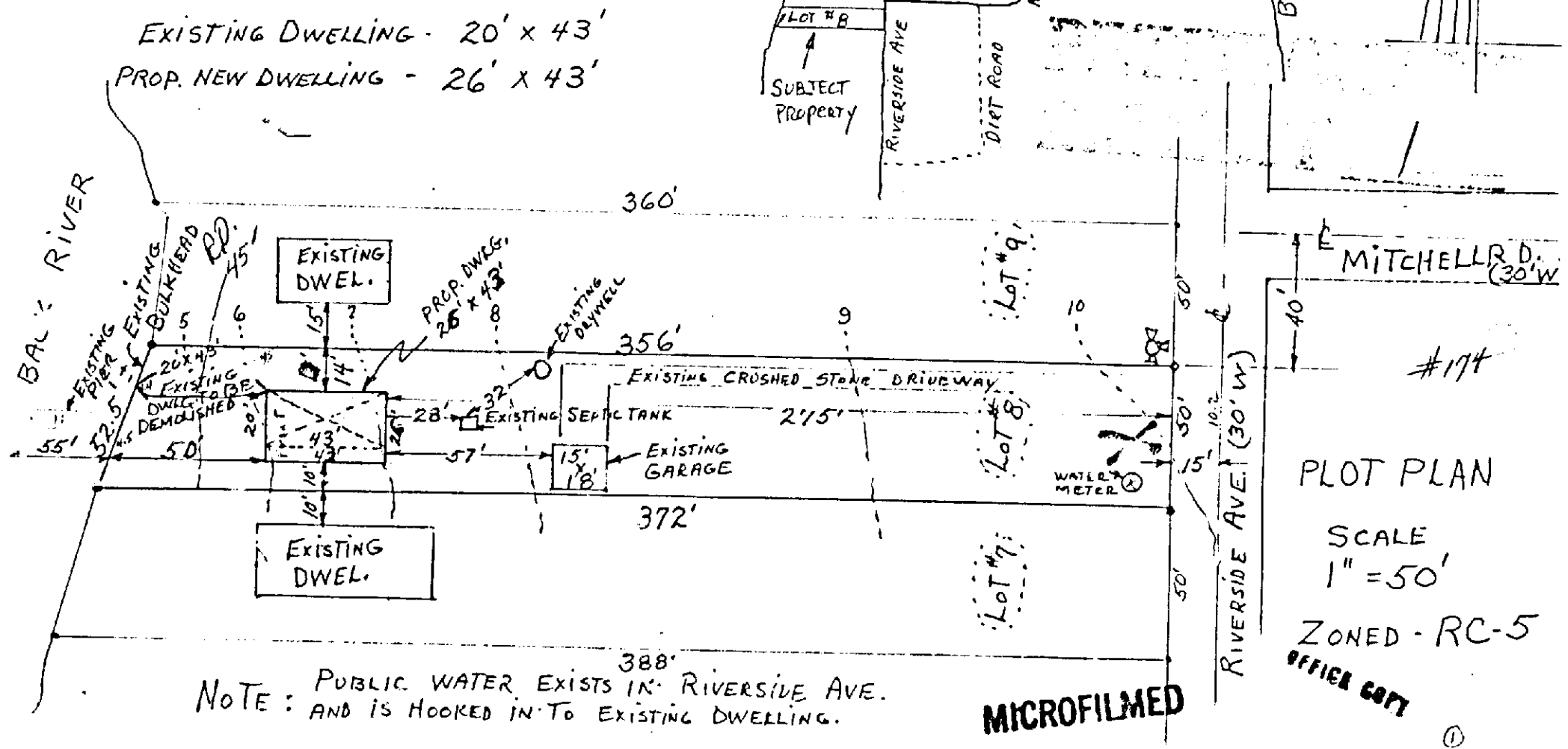
The Department of Traffic Engineering has no comments for items numbered 171, 172, (174) 175, 176, 179, 180, and 181.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF/ELC

2/11/86-293-A

PLAT FOR ZONING VARIANCE
 OWNERS-RAY+JEANNE OSSIE SR.
 DISTRICT 15 ZONED RC-5
 BACK RIVER NECK PARK
 LOT #8 LIBER 7, FOLIO 4
 1340 RIVERSIDE AVE.
 EXISTING PUBLIC WATER
 IN RIVERSIDE AVE.
 SCALE 1" = 50'



BALTIMORE COUNTY, MARYLAND, and
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 018364

DATE 10/16/76 ACCOUNT 101-1-3

AMOUNT \$ 100.00

RECEIVED FROM [Signature]

FOR [Signature]

VALIDATION OR SIGNATURE OF CASHIER

Petition For
Zoning Variance
16th Election District

LOCATION: West side of Riverside Avenue, 40 feet South of the centerline of Mitchell Road (1340 Riverside Avenue)

DATE AND TIME: Tuesday, Feb. 11, 1968, 4:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 100 Chesapeake Avenue, Towson, Md.

Petitioner: The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.

Reason: Section 10A-63-B-3 to permit side setbacks of 10 feet and 16 feet in lieu of the required 40 feet and to permit a front setback of 40 feet less than the required 40 feet.

Being the property of Raymond Michael O'Connell, Sr., et al., as shown on plat plan filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day period.

The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order of
Arnold Johnson
Zoning Commission
Baltimore County

The Times

Middle River, Md., Jan 23 19 86

This is to Certify, That the annexed

Petition

Reg 84147

was inserted in the Times, a newspaper printed and published in Baltimore County, once in each of successive weeks before the 23rd day of January, 1986.

John Brown

86-295-H


Publisher.

Case No. 86-298-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
6th day of January, 1986.


ARNOLD JABLON
Zoning Commissioner

Petitioner Raymond W. Casie, Sr., et al Received by: James E. Ryan
Petitioner's Chairman, Zoning Plans
Attorney Advisory Committee

FEB 2 1987

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
January 13, 1986

COUNTY OFFICE BLDG.
111 W. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Industrial Development

Mr. and Mrs. Raymond M. Ossie, Sr.
1340 Riverside Avenue
Baltimore, Maryland 21221

RE: Item No. 174 - Case No. 86-293-A
Petitioners - Raymond M. Ossie, Sr., et ux
Variance Petition

Dear Mr. and Mrs. Ossie:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:nmr
Enclosures

BALTIMORE COUNTY DEPARTMENT OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

JANUARY 14, 1986
(CRITICAL AREA)

RE: Zoning Advisory Meeting of **NOVEMBER 19, 1985**
Item # **174**
Property Owner: **RAYMOND M. OSSIE, SR. ET AL**
Location: **W/S RIVERSIDE AVE, 40' S**
of **Q OF MITCHELL RD.**

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

☒ There are no site planning factors requiring comment.
☒ A County Review Group Meeting is required.
☒ A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Planning Services.
☒ This site is part of a larger tract therefore it is defined as a subdivision. The plan must show the entire tract.
☒ A record plat will be required and must be recorded prior to issuance of a building permit.
☒ The access is not satisfactory.
☒ The circulation on this site is not satisfactory.
☒ The parking arrangement is not satisfactory.
☒ Parking calculations must be shown on the plan.
☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
☒ Construction in or alteration of the floodplain is prohibited.
☒ The provisions of Section 22-99 of the Development Regulations.
☒ The proposed use of this site may constitute a potential conflict with the Baltimore County Master Plan.
☒ The amended Development Plan was approved by the Planning Board on [blank].
☒ Landscaping: Must comply with Baltimore County Landscape Manual, Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is [blank].
☒ The property is located in a traffic area controlled by a "T" level intersection as defined by 211 125-79, and its conditions change are re-evaluated annually by the County Council.
☒ The property is located in a traffic area controlled by a "T" level intersection as defined by 211 125-79, and its conditions change are re-evaluated annually by the County Council.

THIS SITE IS LOCATED IN THE CHESAPEAKE RIVER PLAIN. ADDITIONAL COMMENTS WILL BE PROVIDED BY THE COMPREHENSIVE PLANNING DIVISION.

cc: James Hysell
Eugene A. Boper
Chief, Current Planning and Development

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # **174**, Zoning Advisory Committee Meeting of **Nov. 19, 1985**

Property Owner: **Raymond M. Ossie, Sr.**

Location: **1340 RIVERSIDE AVENUE** District **15th**

Water Supply **Public** Sewage Disposal **Private**

COMMENTS ARE AS FOLLOWS:

() Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.

() Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.

() A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

() A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.

() Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.

() Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appliances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.

() Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County Regulations. For more complete information, contact the Division of Maternal and Child Health.

() If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

Zoning Item # **174** Zoning Advisory Committee Meeting of **Nov. 19, 1985**
Page 2

() Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.

() Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.

() Soil percolation tests (have been/must be) conducted.
() The results are valid until [blank].
() Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.

() Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.

() In accordance with Section 13-117 of the Baltimore County Code, the water well yield test [blank] shall be valid until [blank].
() Is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.

() Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.

() If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.

(X) Others: **A field inspection was made at the property on November 27, 1985 during which the seepage pit component of the septic system was found filled to capacity. In March 1985 this Department recommended removal of public sewerage which is now under study to correct unsanitary conditions. This department will not approve a building permit for the proposed replacement unless satisfactory soil percolation tests are conducted between Feb. 1st and April 30th. It is the experience of this office that satisfactory soil percolation tests are highly unlikely for this area.**

John J. Foxrest
John J. Foxrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1283 (2) R

BALTIMORE COUNTY FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

November 22, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Raymond M. Ossie, Sr., et ux (critical area)

Location: W/S Riverside Avenue, 40' S of centerline of Mitchell Rd.

Item No.: 174 Zoning Agenda: Meeting of November 19, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or [blank] feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at [blank] EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY *John F. O'Neill* Noted and Approved: *John F. O'Neill*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI, JR.
DIRECTOR

December 16, 1985

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 174 Zoning Advisory Committee Meeting are as follows:

Property Owner: Raymond M. Ossie, Sr., et ux (CRITICAL AREA)
Location: W/S Riverside Avenue, 40' S of c/l of Mitchell Road
District: 15th.

APPLICABLE ITEMS ARE CHECKED:

☒ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill 417-85, the Maryland Code for the Handicapped and Aged (A.D.A. Bill 1-1 - 1980) and other applicable Codes and Standards.

☒ A building and other miscellaneous permits shall be required before the start of any construction.

☒ Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is not required on plans and technical data.

☒ Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

☒ All the Groups except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. B-1 Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 107, Section 108, and Table 108C. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

☒ The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.

☒ The requested variance appears to conflict with Section(s) [blank] of the Baltimore County Building Code.

☒ When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Group are free Use [blank] to Use [blank] or to Mixed Use [blank]. See Section 312 of the Building Code.

☒ The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill 417-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

☒ Comments: The existing dwelling will require a demolition permit. When it has been demolished the new structure will be required to comply with attached Code Requirements Section 516.0.

K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Mark E. Edelman
Mr. C. M. Martinez, Chief
Building Plans Force

L/22/85

SPECIAL NOTE FOR CONSTRUCTION IN TIDAL OR RIVERINE AREAS

BILL 1-02 BALTIMORE COUNTY BUILDING CODE 1981

EFFECTIVE MARCH 25, 1982

SECTION 519 A section added to read as follows:

SECTION 519.0 CONSTRUCTION IN AREAS SUBJECT HAZARD TO FLOODING

519.1 AREAS SUBJECT TO INUNDATION BY TIDEWATERS:

1. Whenever building or additions are constructed in areas subject to inundation by tides/waters, the building's lowest floor (including basement) shall be not lower than one (1) foot above the 100 year flood elevation, as established by the U.S. Army Corps of Engineers or the Federal Flood Insurance study, whichever is more restrictive. These buildings or additions shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of the structures with materials resistant to flood damage.

2. Crawl space under buildings constructed in the Tidal Plain, as determined by the U.S. Army Corps of Engineers or the Federal Flood Insurance study, whichever is the more restrictive, shall be constructed so that water will pass through without resulting debris causing damage to the improvements of any property.

3. New or replacement utility systems, including but not limited to water supply, sanitary sewage, electric, gas and oil, must be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require onsite waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

519.2 RIVERINE AREAS SUBJECT TO INUNDATION BY SURFACE WATERS WITHIN THE 100 YEAR FLOOD PLAIN.

1. No structures or additions shall be constructed within the 100 year flood plain of any watercourse. The 100 year flood plain shall be based upon the Federal Flood Insurance study or the Department of Public Works, whichever is the more restrictive; this determination shall include planned future development of the watershed area.

2. Reconstruction of residential dwelling units shall be governed by Sections 106.0 or 123.0 as applicable, except that rebuilding of residential dwelling units damaged in excess of 50 percent of physical value shall also be governed by the provisions of Subsection 519.1 of this section.

3. Reconstruction of other than residential buildings or structures in the riverine areas shall be made to conform to 519.1 when damage exceeds 50 percent of physical value.

Form 02-82

BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. -ZAC- Meeting of November 16, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

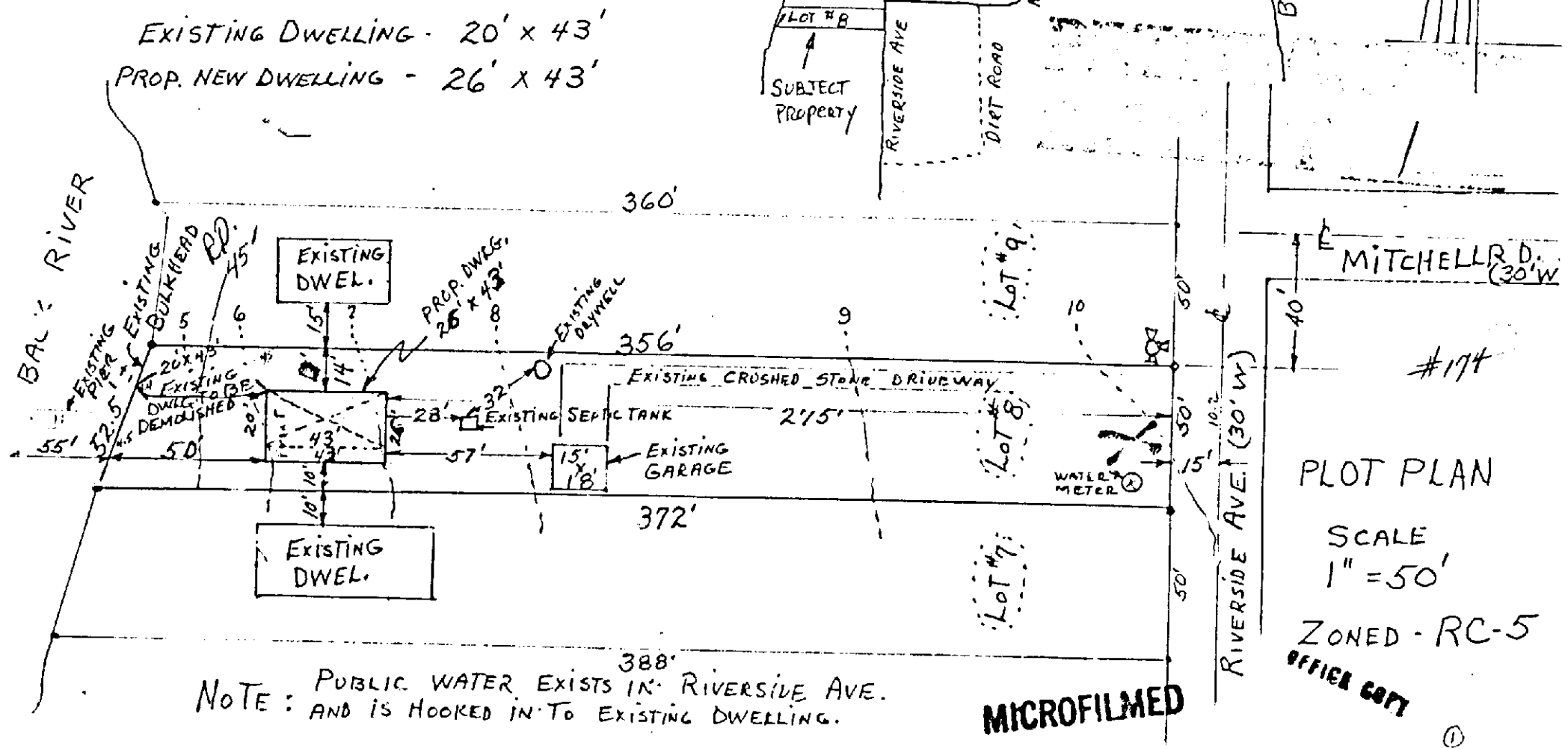
The Department of Traffic Engineering has no comments for items numbered 171, 172, (174) 175, 176, 179, 180, and 181.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

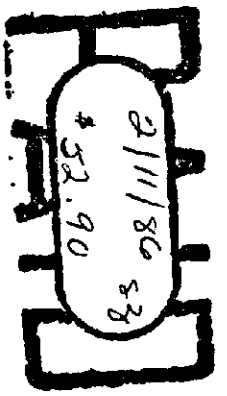
MSF/BLC

2/11/86-298-A

PLAT FOR ZONING VARIANCE
 OWNERS-RAY+JEANNE OSSIE SR.
 DISTRICT 15 ZONED RC-5
 BACK RIVER NECK PARK
 LOT #8 LIBER 7, FOLIO 4
 1340 RIVERSIDE AVE.
 EXISTING PUBLIC WATER
 IN RIVERSIDE AVE.
 SCALE 1" = 50'



MAP SE 3 1
4 A
E.D. 15
DATE 12-9-86
203
1003
CP



86-298-A
4-11-86

Raymond Michael Ossie, Sr., et ux.
1340 Riverside Avenue, 15th Election District
Baltimore, Maryland 21221

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER, BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1404-3-B-3 to permit side setbacks of 10 feet and 14 feet in lieu of the required 50 feet. Also, to permit a front setback of 45 feet in lieu of the required 50 feet.

REASON: 1. The existing house is approximately 15 years old and is in poor condition. It is built on 84 sq. block piers, which are leaning over and causing the floor to sag about 3" in the center. There is also some rotten wood around the windows. Very little insulation, which makes it very hard to heat. Rooms are small and furniture does not fit to wall. House was built strictly as a summer home. We would like to make this our permanent residence.

2. All other improved properties in vicinity are also 50' wide. Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: (Type or Print Name)
Signature
Address
City and State

Legal Owner(s): (Type or Print Name)
Signature
Address
City and State

Attorney for Petitioner: (Type or Print Name)
Address
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State

Attorney's Telephone No.: Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of February, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commission of Baltimore County in Room 106, County Office Building, in Towson, Baltimore County, on the 11th day of February, 1986, at 9:30 o'clock.

BY: [Signature] Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING
DATE February 13, 1986
BY: [Signature]



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

February 13, 1986

Mr. and Mrs. Raymond M. Ossie, Sr.
1340 Riverside Avenue
Baltimore, MD 21221

RE: PETITION FOR VARIANCE
W/S of Riverside Ave., 40'
S of the centerline of
Mitchell Road
(1340 Riverside Avenue)
15th Election District
Raymond M. Ossie Sr., et ux,
Petitioners
Case No. 86-298-A

Dear Mr. and Mrs. Ossie:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

[Signature]
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMH:hg

Attachments

cc: Mr. Stoney Fraley
Dept. of State Planning
301 West Preston Street
Baltimore, MD 21201

People's Counsel

IN RE: PETITION FOR VARIANCE
W/S of Riverside Ave., 40'
S of the centerline of
Mitchell Road
(1340 Riverside Avenue) -
15th Election District
Raymond M. Ossie Sr., et ux,
Petitioners
Case No. 86-298-A

The Petitioners herein request variances for side yard setbacks of 10 feet and 14 feet in lieu of the required 50 feet and a front yard setback of 45 feet in lieu of the required 50 feet.

Testimony by the Petitioners indicated that for 13 years they have owned a poorly constructed, 45-year-old, waterfront summer home. Due to the sagging floors, rot, lack of insulation, etc., it is impractical to renovate and remodel the summer home into a permanent home as desired by the Petitioners. The proposed 26' x 43' dwelling will be 4 feet wider than the existing one. The Petitioners originally proposed placing the dwelling with a 45 foot front setback because of their belief that the dwelling could be located no closer than 28 feet to the septic tank as shown on the plan submitted and marked Petitioner's Exhibit 1. However, the Baltimore County Health Department indicated that the distance could be as little as 20 feet which led to the Petitioners' agreement to place the house 50 feet from the waterfront property line, thus eliminating the request for a front yard variance. Without side yard setbacks no dwelling could be built on the property. There were no Protestants.

Pursuant to the advertisement, posting of property, and public hearing on the petition; it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners; Baltimore County having reviewed the application involving property located in the Maryland Chesapeake Bay Critical Areas and having determined that it is consistent with the requirements of the State of

ORDER RECEIVED FOR FILING
DATE February 13, 1986
BY: [Signature]

Maryland to minimize adverse impacts on water quality and fish, wildlife, and plant habitat; and the granting of some of the requested variances not adversely affecting the health, safety, and general welfare of the community, part of the variances should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 13th day of February, 1986, that the herein Petition for Variance to permit side yard setbacks of 10 feet and 14 feet in lieu of the required 50 feet for a 26' x 43' dwelling, in accordance with Petitioner's Exhibit 1, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- Compliance with the following mitigative practices designed to minimize adverse impacts on water quality and fish, wildlife, and plant habitat in the Maryland Chesapeake Bay Critical Area:
 - Plant and maintain no less than four (4) large deciduous trees, or eight (8) conifer trees, or sixteen (16) small deciduous trees on the lot, or a combination of these three classes of trees, all in accordance with the following formula:
 - (one) Large deciduous tree for each 600 sq.ft.
 - (two) Conifer trees for each 600 sq.ft.
 - (four) Small deciduous trees for each 600 sq.ft.
 - No rain water runoff shall be discharged directly into Back River. It shall, instead, be directed overland so as to encourage infiltration.

The requested variance for a front yard setback of 45 feet in lieu of the required 50 feet is moot due to the reasons set forth above and, as such, is hereby dismissed.

[Signature]
Deputy Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING
DATE February 13, 1986
BY: [Signature]

ZONING DESCRIPTION

BEGINNING AT A POINT ON THE WEST SIDE OF RIVERSIDE AVENUE (ON WEST), 40' S. OF THE CENTERLINE OF MITCHELL ROAD AND BEING AS LOT NO. 8 AS SHOWN ON THE PLAT OF BACK RIVER WOOD PARK, WHICH IS RECORDED IN THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER 7, FOLIO 1, BEING AS 15th ELECTION AVENUE IN THE 15th ELECTION DISTRICT.

PETITION FOR ZONING VARIANCE

15th Election District

LOCATION: West side of Riverside Avenue, 40 feet South of the centerline of Mitchell Road (1340 Riverside Avenue)

DATE AND TIME: Tuesday, February 11, 1986, at 9:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance from Section 1404-3-B-3 to permit side setbacks of 10 feet and 14 feet in lieu of the required 50 feet and to permit a front setback of 45 feet in lieu of the required 50 feet.

Being the property of Raymond Michael Ossie, Sr., et ux., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCES
W/S of Riverside Ave., 40'
S of the C/L of Mitchell Rd.
(1340 Riverside Ave.),
15th District
RAYMOND MICHAEL OSSIE, SR.,
et ux, Petitioners
Case No. 86-298-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

[Signature]
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 21st day of January, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Raymond M. Ossie, Sr., 1340 Riverside Ave., Baltimore, MD 21221, Petitioners.

[Signature]
Peter Max Zimmerman

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
January 13, 1986

COUNTY OFFICE BLDG.
111 W. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Industrial Development

Mr. and Mrs. Raymond M. Ossie, Sr.
1340 Riverside Avenue
Baltimore, Maryland 21221

RE: Item No. 174 - Case No. 86-293-A
Petitioners - Raymond M. Ossie, Sr., et ux
Variance Petition

Dear Mr. and Mrs. Ossie:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:nmr
Enclosures

BALTIMORE COUNTY DEPARTMENT OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

JANUARY 14, 1986
(CRITICAL AREA)

RE: Zoning Advisory Meeting of **NOVEMBER 19, 1985**
Item # **174**
Property Owner: **RAYMOND M. OSSIE, SR. ET AL**
Location: **W/S RIVERSIDE AVE, 40' S**
of **Q OF MITCHELL RD.**

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

☒ There are no site planning factors requiring comment.
☒ A County Review Group Meeting is required.
☒ A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Planning Services.
☒ This site is part of a larger tract therefore it is defined as a subdivision. The plan must show the entire tract.
☒ A record plat will be required and must be recorded prior to issuance of a building permit.
☒ The access is not satisfactory.
☒ The circulation on this site is not satisfactory.
☒ The parking arrangement is not satisfactory.
☒ Parking calculations must be shown on the plan.
☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
☒ Construction in or alteration of the floodplain is prohibited.
☒ The provisions of Section 22-99 of the Development Regulations.
☒ The proposed use of this site may constitute a potential conflict with the Baltimore County Master Plan.
☒ The amended Development Plan was approved by the Planning Board on [blank].
☒ Landscaping: Must comply with Baltimore County Landscape Manual, Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is [blank].
☒ The property is located in a traffic area controlled by a "T" level intersection as defined by 211 125-79, and its conditions change are re-evaluated annually by the County Council.
☒ The property is located in a traffic area controlled by a "T" level intersection as defined by 211 125-79, and its conditions change are re-evaluated annually by the County Council.

THIS SITE IS LOCATED IN THE CHESAPEAKE RIVER PLAIN. ADDITIONAL COMMENTS WILL BE PROVIDED BY THE COMPREHENSIVE PLANNING DIVISION.

cc: James Hysell
Eugene A. Boper
Chief, Current Planning and Development

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # **174**, Zoning Advisory Committee Meeting of **Nov. 19, 1985**

Property Owner: **Raymond M. Ossie, Sr.**

Location: **1340 RIVERSIDE AVENUE** District **15th**

Water Supply **Public** Sewage Disposal **Private**

COMMENTS ARE AS FOLLOWS:

() Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.

() Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.

() A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

() A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.

() Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.

() Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appliances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.

() Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County Regulations. For more complete information, contact the Division of Maternal and Child Health.

() If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

Zoning Item # **174** Zoning Advisory Committee Meeting of **Nov. 19, 1985**
Page 2

() Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.

() Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.

() Soil percolation tests (have been/must be) conducted.
() The results are valid until [blank].
() Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.

() Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.

() In accordance with Section 13-117 of the Baltimore County Code, the water well yield test [blank] shall be valid until [blank].
() Is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.

() Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.

() If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.

(X) Others: **A field inspection was made at the property on November 27, 1985 during which the seepage pit component of the septic system was found filled to capacity. In March 1985 this Department recommended removal of public sewerage which is now under study to correct unsatisfactory conditions. This department will not approve a building permit for the proposed replacement unless satisfactory soil percolation tests are conducted between Feb. 1st and April 30th. It is the experience of this office that satisfactory soil percolation tests are highly unlikely for this area.**

Jan J. Forrest
Jan J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1283 (2) R

BALTIMORE COUNTY FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

November 22, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Raymond M. Ossie, Sr., et ux (critical area)

Location: W/S Riverside Avenue, 40' S of centerline of Mitchell Rd.

Item No.: 174 Zoning Agenda: Meeting of November 19, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or [blank] feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at [blank]

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY *John F. O'Neill* Noted and Approved: *John F. O'Neill*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI, JR.
DIRECTOR

December 16, 1985

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 174 Zoning Advisory Committee Meeting are as follows:

Property Owner: Raymond M. Ossie, Sr., et ux (CRITICAL AREA)
Location: W/S Riverside Avenue, 40' S of c/l of Mitchell Road
District: 15th.

APPLICABLE ITEMS ARE CHECKED:

☒ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.D.A. Bill #1-1 - 1980) and other applicable Codes and Standards.

☒ A building and other miscellaneous permits shall be required before the start of any construction.

☒ Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is not required on plans and technical data.

☒ Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

☒ All the Groups except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. But the Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 402, Section 107, Section 108, and Table 108C. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

☒ The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.

☒ The requested variance appears to conflict with Section(s) [blank] of the Baltimore County Building Code.

☒ When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Group are free Use [blank] to Use [blank] or to Mixed Use [blank]. See Section 312 of the Building Code.

☒ The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

☒ Comments: The existing dwelling will require a demolition permit. When it has been demolished the new structure will be required to comply with attached Code Requirements Section 516.0.

Mark E. Edelman
Mr. E. M. Edelman, Chief
Building Plans Force

L/22/85

SPECIAL NOTE FOR CONSTRUCTION IN TIDAL OR RIVERINE AREAS

BILL 1-02 BALTIMORE COUNTY BUILDING CODE 1981

EFFECTIVE MARCH 25, 1982

SECTION 519 A section added to read as follows:

SECTION 519.0 CONSTRUCTION IN AREAS SUBJECT HAZARD TO FLOODING

519.1 AREAS SUBJECT TO INUNDATION BY TIDEWATERS:

1. Whenever building or additions are constructed in areas subject to inundation by tides/waters, the building's lowest floor (including basement) shall be not lower than one (1) foot above the 100 year flood elevation, as established by the U.S. Army Corps of Engineers or the Federal Flood Insurance study, whichever is more restrictive. These buildings or additions shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of the structures with materials resistant to flood damage.

2. Crawl space under buildings constructed in the Tidal Plain, as determined by the U.S. Army Corps of Engineers or the Federal Flood Insurance study, whichever is the more restrictive, shall be constructed so that water will pass through without resulting debris causing damage to the improvements of any property.

3. New or replacement utility systems, including but not limited to water supply, sanitary sewage, electric, gas and oil, must be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require onsite waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

519.2 RIVERINE AREAS SUBJECT TO INUNDATION BY SURFACE WATERS WITHIN THE 100 YEAR FLOOD PLAIN.

1. No structures or additions shall be constructed within the 100 year flood plain of any watercourse. The 100 year flood plain shall be based upon the Federal Flood Insurance study or the Department of Public Works, whichever is the more restrictive; this determination shall include planned future development of the watershed area.

2. Reconstruction of residential dwelling units shall be governed by Sections 106.0 or 123.0 as applicable, except that rebuilding of residential dwelling units damaged in excess of 50 percent of physical value shall also be governed by the provisions of Subsection 519.1 of this section.

3. Reconstruction of other than residential buildings or structures in the riverine areas shall be made to conform to 519.1 when damage exceeds 50 percent of physical value.

Form 02-82

BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. -ZAC- Meeting of November 16, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered 171, 172, (174) 175, 176, 179, 180, and 181.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF/ELC

2/11/86-298-A

PLAT FOR ZONING VARIANCE
 OWNERS-RAY+JEANNE OSSIE SR.
 DISTRICT 15 ZONED RC-5
 BACK RIVER NECK PARK
 LOT #8 LIBER 7, FOLIO 4
 1340 RIVERSIDE AVE.
 EXISTING PUBLIC WATER
 IN RIVERSIDE AVE.
 SCALE 1" = 50'

EXISTING DWELLING - 20' x 43'
 PROP. NEW DWELLING - 26' x 43'

